

TEXAS TRANSPORTATION COMMISSION

LUBBOCK County

MINUTE ORDER

Page 1 of 1

LUBBOCK District

In the City of Lubbock, Lubbock County, on SL 289, the State of Texas acquired certain land for highway purposes by an instrument recorded in Volume 789, at Page 675, Deed Records of Lubbock County, Texas.

A portion of the land, which portion is described in Exhibit A (the tract), is no longer needed for a state highway purpose.

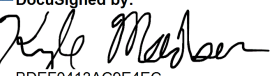
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (the commission) may recommend the sale of any interest in right of way no longer needed for a state highway purpose to abutting and adjoining landowners.

Possum Group, Ltd. is an abutting landowner and has requested to purchase the tract for \$1,060,000.

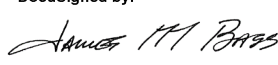
The commission finds \$1,060,000 to be a fair and reasonable value of the state's right, title, and interest in the tract.

IT IS THEREFORE ORDERED by the commission that the tract is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in the tract to Possum Group, Ltd. for \$1,060,000; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

Submitted and reviewed by:

DocuSigned by:

BDEF0413A60E4EC...
Director, Right of Way Division

Recommended by:

DocuSigned by:

A36629BA547D4BD...
Executive Director

115834 Aug 27 2020

Minute	Date
Number	Passed

EXHIBIT "A"

Page 1 of 10

County: Lubbock

November 10, 2014

Highway: STATE HIGHWAY LOOP 289 & STATE HIGHWAY 114 (19TH STREET)

R.O.W. CSJ: 0783-02-087

Description for Surplus Tract No. 3

BEING 188,311 square feet tract of land, more or less, in the EL&RR Railroad Survey, Abstract Number 128, in Section 9, Block JS, of said Survey, City of Lubbock, Lubbock County, Texas, and being part of that certain called 34.415 acre tract of land described by deed to The State of Texas, as recorded in Volume 789, Page 675, Deed Records of Lubbock County, Texas, said 188,311 square feet of land being more particularly described by the metes and bounds as follows:

COMMENCING at a 1/2 inch steel rod (controlling monument) found in the curved westerly line of Tract B1, as depicted on an addition entitled "Tract 'B-1' Thru 'B-3', A Replat Of Tract 'B', A Replat Of Tract 'A', K Mart Plaza, An Addition To The City of Lubbock, Lubbock County, Texas" as recorded in Volume 1848, Page 748, of said Deed Records, being the southern end of a curve with a radius of 15.00 feet connecting the southern right of way line of 16th Street (60' right of way) and the easterly right of way line of State Highway Loop 289 (a variable width right of way), the easterly line of said 34.415 acre tract of land, said commencing point being the beginning of a curve to the left, the radius point of said curve bears South 68 degrees 40 minutes 30 seconds East, a distance of 5,579.65 feet;

THENCE Southwardly, along the existing easterly right of way line of State Highway Loop 289, the easterly line of said 34.415 acre tract of land, the west line of said Tract B-1, and along said curve to the left with a central angle of 01 degrees 16 minutes 18 seconds, a radius 5,579.65 feet, an arc length of 123.84 feet, the chord of said curve bears South 20 degrees 41 minutes 21 seconds West, a distance of 123.84 feet to a 1 inch steel rod (controlling monument) found for the **POINT OF BEGINNING** (surface coordinate North 7,275,833.65, East 920,292.95), the beginning of a tangent compound curve to the left, the radius point of said curve bears South 69 degrees 56 minutes 48 seconds East, a distance of 207.00 feet, being in the existing easterly right of way line of State Highway Loop 289,

- 1) THENCE Southwardly, continuing along said easterly right of way line of State Highway Loop 289, the common easterly line of said 34.415 acre tract of land, the west line of said Tract B-1, and along said tangent compound curve to the left with a central angle of 50 degrees 21 minutes 56 seconds, a radius of 207.00 feet, passing at an arc distance of 111.57 feet the common southwest corner of said Tract B-1 and the northwest corner of Tract B-3-A, as depicted on an addition entitled "Tracts 'B-3-A' Thru 'B-3-E', A Replat Of Tract 'B-3', A Replat Of Tract 'B', A Replat Of Tract 'A', K Mart Plaza, An Addition to The City Of Lubbock, Lubbock County, Texas" as recorded in Volume 1920, Page 376 of said Deed Records, continuing along said existing easterly right of way line of State Highway Loop 289, the common easterly line of said 34.415 acre tract of land and the west line of said Tract B-3-

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Page 2 of 10

County: Lubbock

November 10, 2014

Highway: STATE HIGHWAY LOOP 289 & STATE HIGHWAY 114 (19TH STREET)

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Description for Surplus Tract No. 3

A, in all a total arc length of 181.96 feet, the chord of said curve bears South 05 degrees 07 minutes 46 seconds East, a distance of 176.16 feet to a 1/2 inch steel rod (controlling monument) found;

2) THENCE South 30 degrees 18 minutes 44 seconds East, along said existing easterly right of way line of State Highway Loop 289, the common easterly line of said 34.415 acre tract of land, and the westerly lines of Tracts B-3-A, B-3-C, B-3-D, B-3-E, as depicted said addition entitled "Tracts 'B-3-A' Thru 'B-3-E', A Replat Of Tract 'B-3', A Replat Of Tract 'B', A Replat Of Tract 'A', K Mart Plaza, An Addition to The City Of Lubbock, Lubbock County, Texas" the following passing calls;

- a. at a distance of 45.92 feet a "PK" in asphalt (controlling monument) found for the common southwest corner of said Tract B-3-A and the northwest corner of said Tract B-3-C,
- b. at a distance of 179.88 feet a 1/2" steel rod with yellow plastic cap marked "Hugo Reed & Associates" (controlling monument) found for the common southwest corner of said Tract B-3-C and the northwest corner of said Tract B-3-D,
- c. at a distance of 250.69 feet a 1/2 inch steel rod with yellow plastic cap marked "Hugo Reed & Associates" (controlling monument) found for the common southwest corner of said Tract B-3-D and the northwest corner of said Tract B-3-E,

in all a total distance of 490.25 feet to a 1 inch steel rod found for the beginning of a tangent curve to the left;

3) THENCE Southeastwardly, along said existing easterly right of way line of said State Highway Loop 289, the common easterly line of a said 34.415 acre tract of land and the west line of said Tract B-3-E and along said tangent curve to the left with a central angle 57 degrees 49 minutes 47 seconds, a radius of 477.00 feet, passing at an arc distance of 21.33 feet to an "X" in concrete (controlling monument) found for the south corner of said Tract B-3-E and the most westerly southwest corner of Tract A-1-A, as depicted on an addition entitled "Tracts A-1-A and A-1-B, K-Mart Plaza, An Addition To The City Of Lubbock, Lubbock County, Texas, A Replat Of Tract A-1, K-Mart Plaza, An Addition To The City Of Lubbock, Lubbock County, Texas" as recorded in Volume 9906, Page 278, of said Deed Records, continuing along said existing easterly right of way line of State Highway Loop 289, the easterly line of a said 34.415 acre tract of land and the southwest line of said Tract A-1-A, in all a total an arc length of 481.45 feet, the chord of said curve bears South 59 degrees 13 minutes 38 seconds East, a distance of 461.27 feet to a 1/2 inch steel rod with a yellow plastic cap marked "AZB" set at the southeast corner of said 34.415 acre tract of land

EXHIBIT "A"

Page 3 of 10

County: Lubbock

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Highway: STATE HIGHWAY LOOP 289 & STATE HIGHWAY 114 (19TH STREET)

R.O.W. CSJ: 0783-02-087

Description for Surplus Tract No. 3

and most southerly southwest corner of said Tract A-1-A lying in the north line of a called 0.908 acre tract of land described to The State of Texas, as recorded in Volume 491, Page 441, of said Deed Records, being in the existing north right of way line of State Highway 114 (130' right of way);

- 4) THENCE North 88 degrees 08 minutes 31 seconds West, along said north right of way line of State Highway 114 and the south right of way line of State Highway Loop 289, (the common southerly line of said 34.415 acre tract of land and the north line of said 0.908 acre tract of land), a distance of 265.34 feet to a 1/2 inch steel rod with a yellow plastic cap marked "AZB" set;

THENCE, departing said north right of way line of State Highway 114 and said south right of way line of State Highway Loop 289, being the southerly line of said 34.415 acre tract of land and over and across said 34.415 acre tract of land, along the proposed northerly and easterly right of way line of State Highway Loop 289 the following eight (8) courses and distances;

- 5) North 81 degrees 20 minutes 14 seconds West, a distance of 113.52 feet to a 1/2 inch steel rod with a yellow plastic cap marked "AZB" set;
- 6) North 88 degrees 08 minutes 31 seconds West, a distance of 211.46 feet to a 1/2 inch steel rod with a yellow plastic cap marked "AZB" set for the beginning of a tangent curve to the right;
- 7) Northwestwardly along said tangent curve to the right with a central angle 95 degrees 22 minutes 31 seconds, a radius of 185.00 feet, an arc length of 307.95 feet the, chord of said curve bears North 40 degrees 27 minutes 16 seconds West, a distance of 273.61 feet to a 1/2 inch steel rod with a yellow plastic cap marked "AZB" set;
- 8) South 82 degrees 46 minutes 00 seconds East, a distance of 45.00 feet to a point;
- 9) North 07 degrees 14 minutes 00 seconds East, a distance of 45.00 feet to a point;
- 10) North 82 degrees 46 minutes 00 seconds West, a distance of 45.00 feet to a 1/2 inch steel rod with a yellow plastic cap marked "AZB" set;
- 11) North 07 degrees 14 minutes 00 seconds East, a distance of 280.29 feet to a 1/2 inch steel rod with a yellow plastic cap marked "AZB" set for the beginning of a tangent curve to the right;

EXHIBIT "A"

Page 4 of 10

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R.O.W. CSJ: 0783-02-087

Description for Surplus Tract No. 3

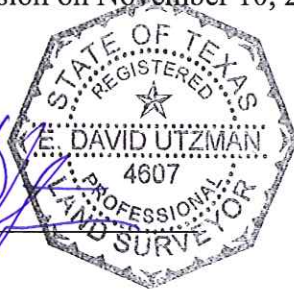
- 12) Northerly along said tangent curve to the right with a central angle 12 degrees 49 minutes 12 seconds, a radius of 1,250.00 feet, an arc length of 279.69 feet, the chord of said curve bears North 13 degrees 38 minutes 36 seconds East, a distance of 279.11 feet to the **POINT OF BEGINNING** and containing 188,311 square feet [4.323 Acres] of land, more or less.

Basis of Bearings is the Texas Coordinate System of 1983, Texas North Central Zone (4202) North American Datum 1983 (N.A.D. 83) as determined by GPS observations using the TxDOT VRS network. All coordinates listed are adjusted to surface, with a grid to surface adjustment factor of 1.00011 (Lubbock County).

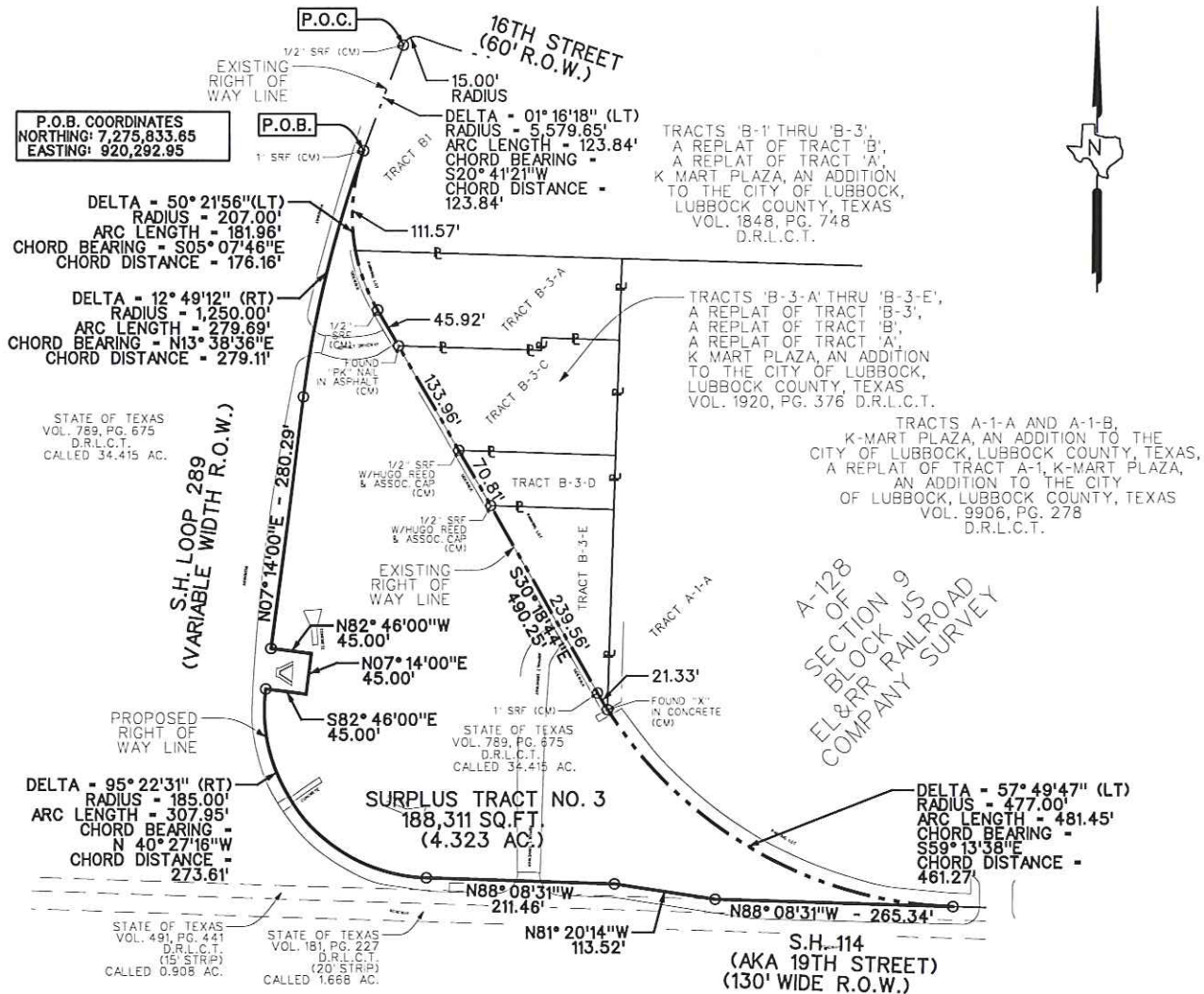
A survey plat of even survey date herewith accompanies this field note description.

I, E. David Utzman, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this land description and attached plat accurately depict an actual survey made on the ground under my supervision on November 10, 2014.


E. David Utzman
Registered Profession
Texas No. 4607



11/25/14
Date

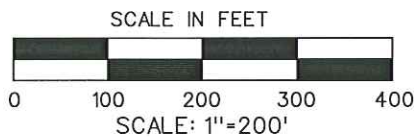


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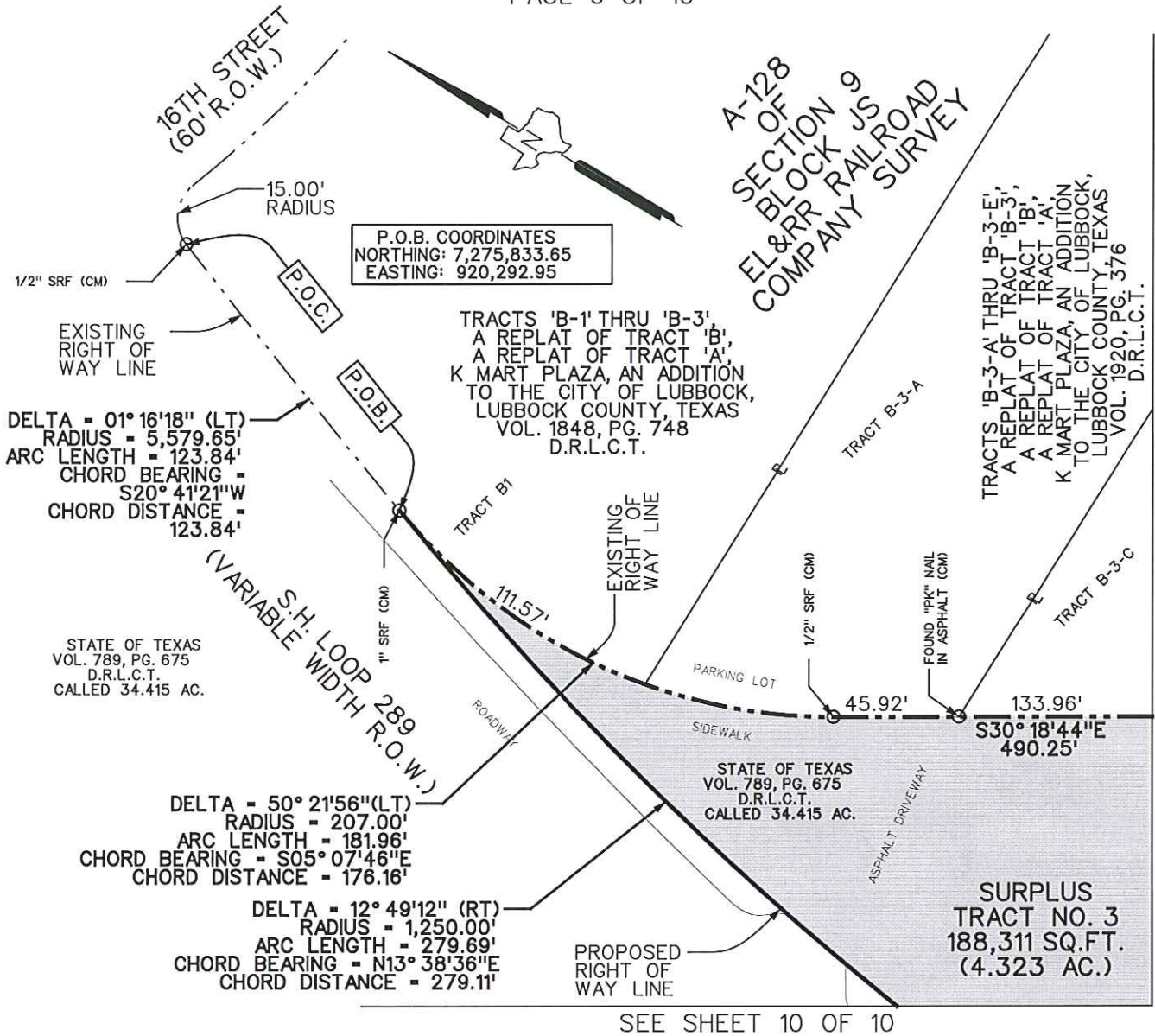
PROPOSED ROW LINE	---
EXISTING ROW LINE	---
PROPERTY LINE	---
COUNTY LINE	---
DENIAL OF ACCESS LINE	---
SURVEY LINE	---
FENCE LINE	---
CITY LIMITS	---
EASEMENTS	---
RAILROAD	---
STRUCTURES	---

○ 1/2" SRS W/YELLOW CAP STAMPED AZB
(UNLESS OTHERWISE NOTED)

SRS = STEEL ROD SET
SPF = STEEL PIPE FOUND
SRF = STEEL ROD FOUND
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING



A PLAT OF A SURVEY OF
SURPLUS TRACT NO. 3
FOR LOOP 289 & 19TH STREET
R.O.W. CSJ: 0783-02-087
188,311 SQ.FT. [4.323 AC.]
TRACT OF LAND IN THE
EL&RR SURVEY
ABSTRACT NUMBER 128
CITY OF LUBBOCK
LUBBOCK COUNTY, TEXAS
NOVEMBER 10, 2014



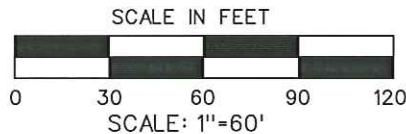
SEE SHEET 7 OF 10

LEGEND

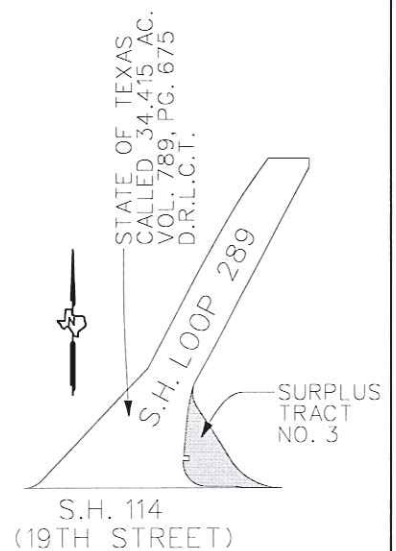
PROPOSED ROW LINE	—
EXISTING ROW LINE	- - -
PROPERTY LINE	— P —
COUNTY LINE	— C —
DENIAL OF ACCESS LINE	— III —
SURVEY LINE	— S —
FENCE LINE	— F —
CITY LIMITS	— L —
EASEMENTS	— E —
RAILROAD	— R —
STRUCTURES	— S —

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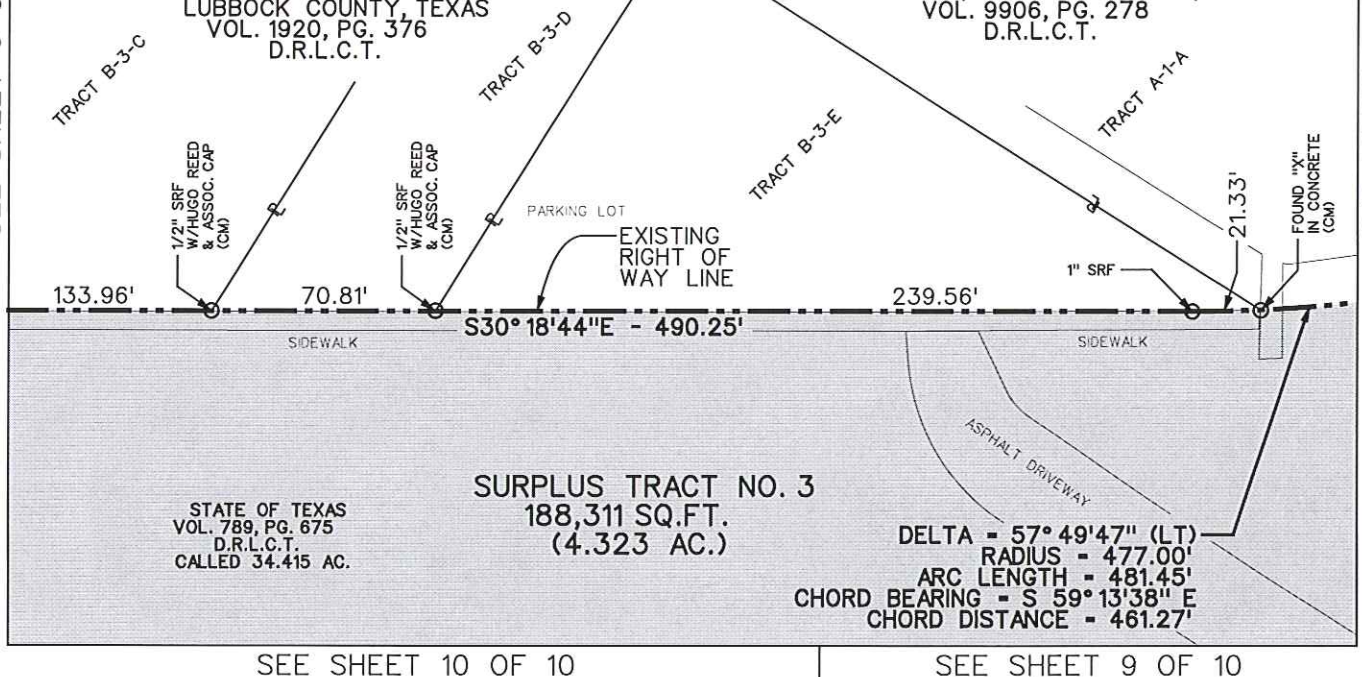
A-128
OF
SECTION 9
BLOCK JS
EL&RR RAILROAD
COMPANY SURVEY

SEE SHEET 6 OF 10

TRACTS 'B-3-A' THRU 'B-3-E',
A REPLAT OF TRACT 'B-3',
A REPLAT OF TRACT 'B',
A REPLAT OF TRACT 'A',
K MART PLAZA, AN ADDITION
TO THE CITY OF LUBBOCK,
LUBBOCK COUNTY, TEXAS
VOL. 1920, PG. 376
D.R.L.C.T.

TRACTS A-1-A AND A-1-B,
K-MART PLAZA, AN ADDITION TO THE
CITY OF LUBBOCK, LUBBOCK COUNTY, TEXAS,
A REPLAT OF TRACT A-1, K-MART PLAZA,
AN ADDITION TO THE CITY
OF LUBBOCK, LUBBOCK COUNTY, TEXAS
VOL. 9906, PG. 278
D.R.L.C.T.

SEE SHEET 8 OF 10

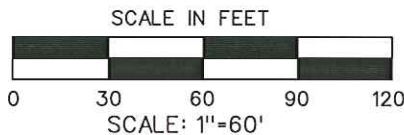


LEGEND

PROPOSED ROW LINE	---
EXISTING ROW LINE	---
PROPERTY LINE	---
COUNTY LINE	---
DENIAL OF ACCESS LINE	---
SURVEY LINE	---
FENCE LINE	---
CITY LIMITS	---
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RAILROAD	---
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LUBBOCK COUNTY, TEXAS
NOVEMBER 10, 2014

A-128
OF
SECTION 9
BLOCK JS
EL&RR RAILROAD
COMPANY SURVEY

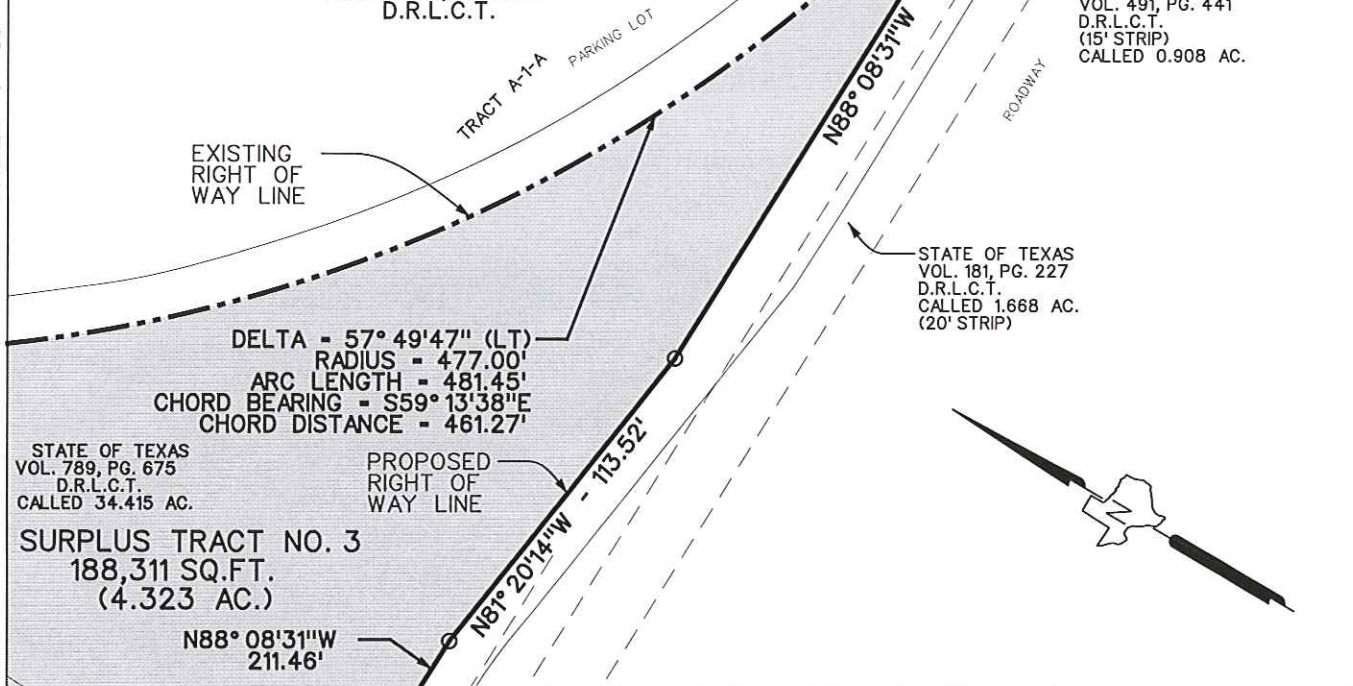
TRACTS A-1-A AND A-1-B,
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A REPLAT OF TRACT A-1, K-MART PLAZA,
AN ADDITION TO THE CITY
OF LUBBOCK, LUBBOCK COUNTY, TEXAS
VOL. 9906, PG. 278
D.R.L.C.T.

S.H. 114
(AKA 19TH STREET)
(130' WIDE R.O.W.)

STATE OF TEXAS
VOL. 491, PG. 441
D.R.L.C.T.
(15' STRIP)
CALLED 0.908 AC.

STATE OF TEXAS
VOL. 181, PG. 227
D.R.L.C.T.
CALLED 1,668 AC.
(20' STRIP)

SEE SHEET 7 OF 10



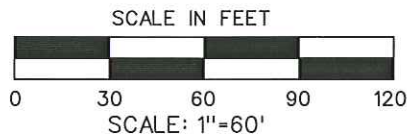
SEE SHEET 9 OF 10

LEGEND

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EXISTING ROW LINE	---
PROPERTY LINE	---
COUNTY LINE	---
DENIAL OF ACCESS LINE	---
SURVEY LINE	---
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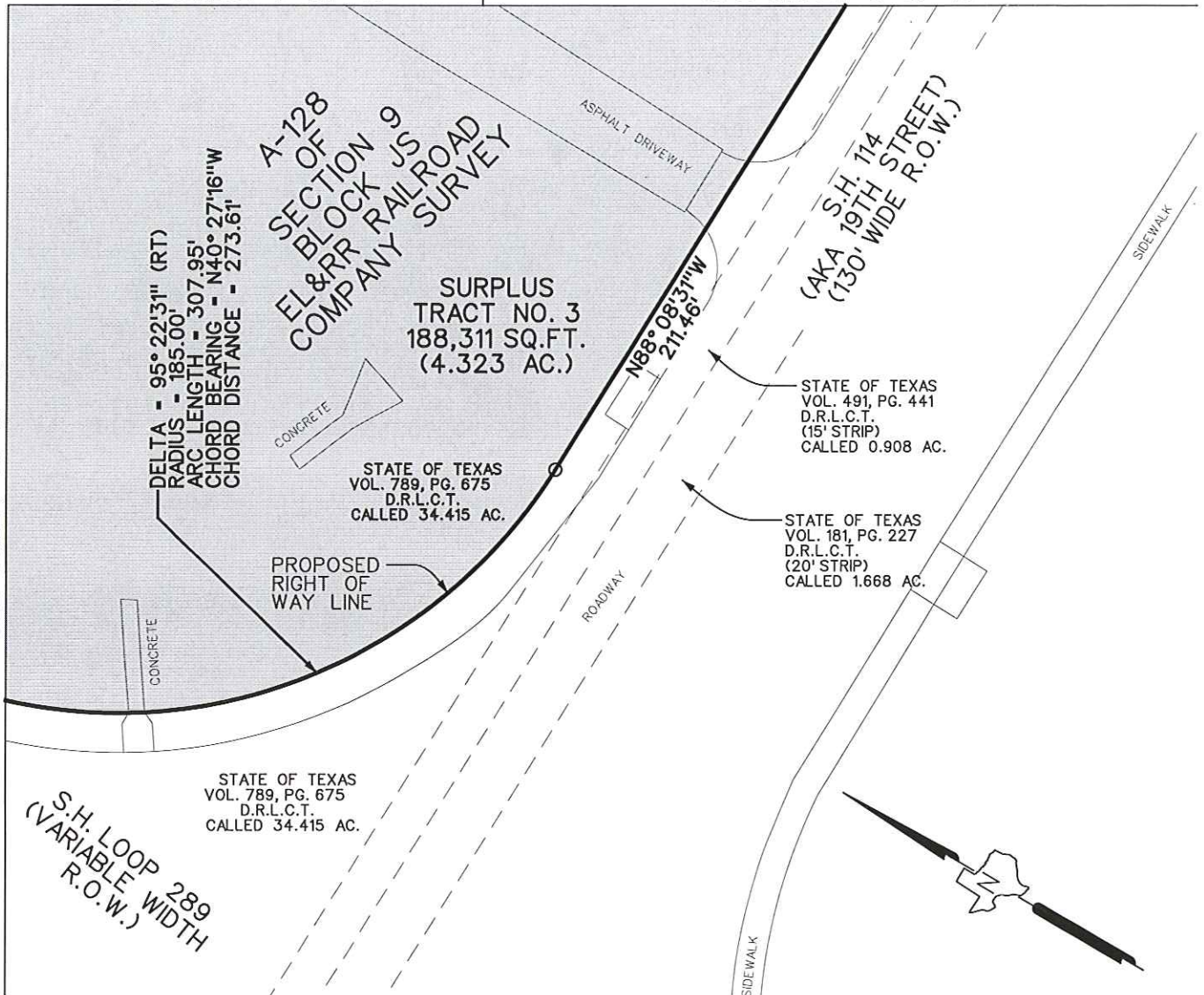


A PLAT OF A SURVEY OF
SURPLUS TRACT NO. 3
FOR LOOP 289 & 19TH STREET
R.O.W. CSJ: 0783-02-087
188,311 SQ.FT. [4.323 AC.]
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ABSTRACT NUMBER 128
CITY OF LUBBOCK
LUBBOCK COUNTY, TEXAS
NOVEMBER 10, 2014

SEE SHEET 7 OF 10

SEE SHEET 8 OF 10

SEE SHEET 10 OF 10



LEGEND

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SCALE IN FEET



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CITY OF LUBBOCK
LUBBOCK COUNTY, TEXAS
NOVEMBER 10, 2014

SEE SHEET 6 OF 10

STATE OF TEXAS
VOL. 789, PG. 675
D.R.L.C.T.
CALLED 34.415 AC.

SURPLUS TRACT NO. 3
188,311 SQ.FT.
(4.323 AC.)

DELTA = 12° 49' 12" (RT)
RADIUS = 1,250.00'
ARC LENGTH = 279.69'
CHORD BEARING = N13° 38' 36" E
CHORD DISTANCE = 279.11'

S.H. LOOP 289
(VARIABLE WIDTH R.O.W.)

PROPOSED
RIGHT OF
WAY LINE

N07° 14' 00" E - 280.29'

N82° 46' 00" W - 45.00'

N07° 14' 00" E - 45.00'

S82° 46' 00" E - 45.00'

CONCRETE

A-128
OF
SECTION 9
BLOCK 9
EL & RR RAILROAD
COMPANY SURVEY

STATE OF TEXAS
VOL. 789, PG. 675
D.R.L.C.T.
CALLED 34.415 AC.

DELTA = 95° 22' 31" (RT)
RADIUS = 185.00'
ARC LENGTH = 307.95'
CHORD BEARING = N 40° 27' 16" W
CHORD DISTANCE = 273.61'

NOTES:

1. BASIS OF BEARINGS IS THE TEXAS COORDINATE SYSTEM OF 1983, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM 1983 (N.A.D. 83) AS DETERMINED BY GPS OBSERVATIONS USING THE TxDOT GPS/VRS NETWORK, ADJUSTED TO SURFACE, WITH A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.00011 (LUBBOCK COUNTY).

2. ALL COORNIDATES SHOWN ARE SURFACE.

3. CONTROL MONUMENTS USED FOR BOUNDARY SOLUTIONS ARE NOTED AS (CM) FOR CONTROLLING MONUMENT.

4. A FIELD NOTE DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.

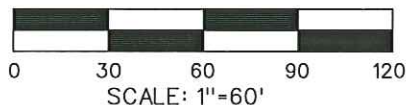
LEGEND

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EXISTING ROW LINE	— · — · —
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SCALE IN FEET



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ABSTRACT NUMBER 128
CITY OF LUBBOCK
LUBBOCK COUNTY, TEXAS
NOVEMBER 10, 2014



E. DAVID UTZMAN R.P.S. No. 4607 DATE

SEE SHEET 9 OF 10